

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

VS.

CASE NO. 3:98CR253-01 (SEC)

JACQUELINE DIAZ

**MOTION NOTIFYING SUPERVISED RELEASE VIOLATIONS AND REQUESTING THE
ISSUANCE OF A SUMMONS**

**TO THE HONORABLE SALVADOR E. CASELLAS
SENIOR UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, JOSE A. FIGUEROA, UNITED STATES PROBATION OFFICER

of this Honorable Court, presenting an official report upon the conduct and attitude of releasee, Jacqueline Díaz, who on November 5, 1999, was sentenced to serve a fifty-seven (57) month imprisonment term to be followed by a five (5) year supervised release term after pleading guilty to violating Title 18, United States Code, Sections 2 and Title 21, United States Code, Section 841A. She was also ordered to submit to urinalyses and participate in drug treatment if tested positive to illegal substances. On July 29, 2002, the offender's supervised release term imposed commenced.

On May 12, 2005, a revocation hearing was held before Your Honor. After hearing both parties, the Court sentenced the offender to three (3) months of imprisonment which concluded on May 22, 2006 and a supervised release term of six (6) months. The offender was also ordered to participate in an out-patient program coordinated with a work schedule.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AS FOLLOWS:

(1) STANDARD SUPERVISED RELEASE CONDITION: "The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court."

(2) ADDITIONAL SUPERVISED RELEASE TERMS: "That the defendant participate in an out-patient drug treatment program coordinated with her work schedule."

The offender failed to report to the out-patient treatment program on August 17, 21, 23, 24, 31, and September 7, 2006. The offender verbally admitted the use of illegal substances on August 15, 2006, over-the-telephone and on September 6, 2006, during a home contact.

Mrs. Díaz also failed to report on July 28, August 10 and 22, 2006 to the office and for urine collection. This officer advised the employer that the offender was not responding to treatment.

The offender has also informed this officer that she is pregnant, but medical confirmation has not been received.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct. Unless the Court rules otherwise, this motion is respectfully submitted so that the offender may appear before this court to show cause why her supervised release term should not be revoked. Thereupon, that she to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 19th day of September 2006.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
UNITED STATES PROBATION OFFICER

s/José A. Figueroa
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 19, 2006, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Rosa Emilia Rodríguez-Vélez, U.S. Attorney, and Joseph C. Laws, Jr., Federal Public Defender .

At San Juan, Puerto Rico, September 19, 2006.

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